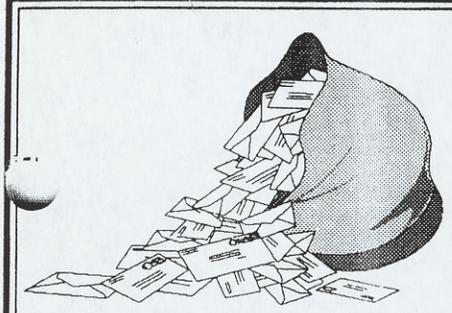


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Lambda Letters Project

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Vol. 11, No. 5 May, 2003 www.lambdaletters.org LambdaLP@aol.com (916) 728-1261

Board of Equalization Votes on Domestic Partner Rights

By Boyce Hinman, Chief Lobbyist

You may think that only legislators vote on domestic partner rights issues. That is not so. In mid-April we got a call from the office of the Chair of the Board of Equalization, Carole Migden. She asked our help in persuading members of the board to approve a rule change that would benefit domestic partners in California.

Here's the scoop. Generally, when a married couple shares a home and one of them dies, the surviving spouse inherits the home and the county does not reassess the house. Thus, for property tax purposes, the assessed value of the home stays the same and the property taxes on the home stay roughly the same. Under Proposition 13, the county is allowed to increase the property taxes by 1 percent each year. However, that increase is often much less than would occur if the house were reassessed at fair market value.

Under current regulations, established by the Board of Equalization, the situation could be quite different for a surviving domestic partner. If two do-

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Another Victory for Transgendered People

Good news from New Mexico. On April 8 Governor Bill Richardson signed Senate Bill 28, "Sexual Orientation or Gender Discrimination," sponsored by Cisco McSorley (D–Albuquerque, NM), which bans employment and public accommodations discrimination against transgendered people throughout the state. New Mexico is now the third state to ban discrimination against transgendered people; the other two are Minnesota and Rhode Island.

The Lambda Letters Project has sought the passage of such legislation in California since 1998. We hope the action of New Mexico will inspire the legislature and governor of California to ban discrimination against transgendered people in our own state too.

This year the legislature is considering AB 196, cosponsored by Lambda Letters and introduced by Assemblymember Mark Leno (D–San Francisco), which would ban employment and public accommodations discrimination against transgendered people. The bill was recently approved by the Assembly and sent to the Senate.

Legislation banning transgender discrimination is nothing new; in fact, it's becoming fairly common. A

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Lambda Letters Progress Report

Letters & Messages Collected

March, 2003	13,890 letters & e-mails
In all of 2003	45,492 letters & e-mails

Dollars Spent

February, 2003	$4,205
In all of 2003	$9,373

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Mission Statement

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy; and to bring people of color, women, lesbians, gays, bisexuals, transgendered and intersex persons, and persons affected by or living with HIV/AIDS into full participation in American society.

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The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

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LGBTI Issue

Down to the Wire for Domestic Partner Rights Act

By Teri Ford

Last month we asked you to support AB 205, the Domestic Partner Rights and Responsibilities Act of 2003. It was referred to the Assembly Judiciary Committee for a hearing on April 1. It has now left that committee and landed in the Appropriations Committee, after which it will be voted on by the Assembly sometime in May. From all accounts we expect this to be a particularly close vote, owing to the strong feelings on either side of the issue.

How close? Just read what the Committee on Moral Concerns, one of the major opponents of the bill, asserts:

"[AB 205 will] expand domestic partnership laws to be equal with marriage, thus creating gay marriages. Contrary to the bill's language, California has a legitimate interest in not legalizing gay marriages or expanding domestic partner laws. In all of human history, every major society and major religion has considered homosexuality and rejected it as unnatural, immoral, and dangerous. Today's science has proved that the wisdom of the ages is correct."

Moreover, the Campaign for California Families also opposes this measure, writing that the bill will "essentially create homosexual 'marriage' in California by awarding virtually all the rights of marriage to 'domestic partners,' which are overwhelmingly homosexual couples. This bill is homosexual 'marriage' and no one should think otherwise."

We hope these quotes show you how intense the opposition feels about this important legislation.

Sponsored by Assemblymembers Jackie Goldberg (D–Los Angeles), Christine Kehoe (D–San Diego), Paul Koretz (D–West Hollywood), John Laird (D–Santa Cruz), and Mark Leno (D–San Francisco), AB 205 simply recognizes, rewards, and protects registered domestic partnerships by providing registered domestic partners with the very same rights, protections, and benefits—as well as responsibilities and obligations—that are afforded to spouses in civil

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People of Color Issue

Support an Adjusted Minimum Wage to Break Poverty Cycle

By Marty Martinez, POC Analyst

The minimum wage is an important policy instrument that ensures a certain amount of fairness and equality in our economy. Progressive advocates are engaged in continual struggles to encourage policymakers to adjust the minimum wage to reflect changes in the price of living, housing, and other goods in the community.

SB 57 by John Burton (D–San Francisco) will help the efforts of advocates and advance economic gains by lower-income communities by building into law a process to automatically increase the minimum wage each year, under certain circumstances. This is an important advance and should be supported. You can find out more about the bill in the Legislative Update on page 5 and read the bill online at this shortcut address:

http://snurl.com/18d6

The bill would automatically adjust the minimum wage on January 1, 2004, and each year thereafter to reflect changes in the California consumer price index for all urban consumers. Currently, the state's Industrial Welfare Commission (IWC) annually evaluates the propriety of the current minimum wage and adjusts the minimum wage. SB 57 goes even further by creating a formula which automatically increases the wage each year if the purchasing power of consumers has declined, and thus avoids any bureaucracy at all. This bill also follows a decision in 2003 by the IWC not to raise

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HIV/AIDS Issue

Make Hypodermic Needles Available Without a Prescription

By Jamie Shauvin, HIV/AIDS Analyst

Sharing dirty needles is a major way by which AIDS has been transmitted. One of the most effective ways to reduce the spread of AIDS is to make clean needles available to intravenous drug users. According to the California Office of AIDS, 19 percent of all AIDS cases in California are linked to sharing dirty needles.

The percentages are even higher among women and people of color. In California, 37.3 percent of cumulative AIDS cases among women, 24.3 percent among African Americans, and 22.4 percent among Latinos are linked to intravenous drug use and sharing contaminated needles.

Additionally, there are also between 500,000 and 600,000 cases of hepatitis C in California (roughly 60 percent of which are attributable to dirty needles).

The Agency for Health Care Research and Quality says the average annual cost for treating someone infected with HIV is $20,000 to $24,000, much of which is borne by publicly funded agencies.

SB 774 (John Vasconcellos, D–San Jose) deals directly with this problem by protecting from prosecution those who work in clean needle exchange programs.

More specifically, SB 774 authorizes a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription, under specified conditions, and authorizes a person to possess up to 30 hypodermic needles or syringes if acquired through an authorized source.

Protecting people who work in clean needle exchange programs from prosecution would help facilitate authorized clean needle exchange programs around the state. SB 774 would also end the current requirement that a pharmacist keep detailed records of nonprescription sales of hypodermic needles.

Please support SB 774 making clean hypodermic needles available without a prescription.

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Women's Issue

A DNA Bill of Rights for Rape Survivors

By Adrienne Lauby, Women's Analyst

The promise of DNA testing is becoming increasingly important for solving crimes and freeing the innocent. As a new tool, DNA testing requires new laws.

Here's why. A crime lab in Texas issued false information on DNA tests, causing its closure and leaving the Harris County district attorney's office with hundreds of cases to review. Harris County has a particularly high death penalty rate and the district attorney has already identified 24 death row defendants with questionable DNA evidence.

In 2001 Virginia's Division of Forensic Science used DNA analysis technology to make 306 cold hits, or matches, which solved old cases. The Innocence Project at the Cardozo School of Law in New York has freed 124 prisoners in cases where post-conviction DNA testing provided conclusive evidence of innocence.

In an effort to control DNA testing, Judy Chu (D–Monterey Park) has introduced AB 898, the "Sexual Assault Victims' DNA Bill of Rights." Sponsored by the Los Angeles County District Attorney, it would require a law enforcement agency investigating a felony sex offense, upon the request of the victim, to promptly inform the victim of the status of DNA testing of the evidence from the victim's case.

California currently has over 210,000 DNA profiles from convicted felons in the state's DNA data bank. Police departments across California have backlogs of biological evidence from sexual assault cases that would be suitable for DNA testing. Sexual assault survivors endure a four-hour medical exam to retrieve rape kit evidence from their bodies yet they frequently have no way of knowing the testing status of this evidence. This is particularly offensive when evidence from unsolved cases is destroyed prior to the expiration of the statute of limitation.

AB 898 grants sexual assault survivors the right to be informed by law enforcement officials of the status and disposition of their rape kit evidence, whether or not a DNA profile was obtained, and whether or not a

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May Legislative Update

There are three terms or phrases in this list which may be new to you:

Suspense File: This is where bills are put when it is decided to vote on them later. Generally the Senate and Assembly Appropriations Committees put off votes on any bills costing $100,000 or more until just before the deadline for approval by the committee.

Consent Calendar: Some bills are expected to be supported by everyone when they are voted on. To save time, legislators batch these popular bills in a consent calendar and then vote on all of them at once, rather than having a separate vote on each of them. At the time of the vote legislators do have the option of removing a bill they oppose from the group vote and having a separate vote on that bill.

Reconsideration Granted: Sometimes when a bill is defeated in a committee vote or on the floor of the Senate or Assembly, the bill's author asks permission to bring the bill up for a vote again at another time. If the legislators agree to this, it is called granting reconsideration to the bill.

HIV/AIDS Issues

AB 4 (Wilma Chan, D–Oakland)
Purpose: To declare the intent of the legislature to reinstate the maximum personal income tax rates that were in effect for taxable years beginning on or after January 1, 1996, and ending on or before January 1, 1996, for the taxable years beginning on or after January 1, 2003.
Status: Referred to the Assembly Revenue and Tax Committee. No hearing date set yet.
LLP Position: Support. This will reduce the pressure to cut important health programs.

AB 685 (Mark Leno, D–San Francisco)
Purpose: To quickly increase the number of people allowed to do rapid HIV tests by authorizing certain non-healthcare professionals to conduct the tests, but only under specified, tightly controlled circumstances.
Status: Referred to Assembly Business and Professions and Health Committee for a hearing probably on April 29. Author may change or drop this bill.
LLP Position: Support.

AB 879 (Paul Koretz, D–West Hollywood)
Purpose: To require the Office of AIDS to convene a task force to develop recommendations for the use of post-exposure prophylaxis (PEP) in the general popula-

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or just show up on June 13!

Continued from page 5

tion for the prevention of HIV infection.
Status: Approved by the Assembly Health Committee and referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 1324 (Darrell Steinberg, D–Sacramento)
Purpose: To provide that if certain state or local firefighting, law enforcement, or patrol members sustain an injury that meets the definition of a blood-borne infectious disease, and a dependent contracts the blood-borne infectious disease from that person, the dependent may elect to receive worker's compensation for the duration of the disease for all medically necessary healthcare costs. If the dependent elects to receive the award, she or he may not sue the employer.
Status: Referred to the Assembly Insurance Committee for a hearing on April 30.
LLP Position: Support.

AB 1363 (Patty Berg, D–Santa Rosa)
Purpose: To authorize cities or counties to develop clean needle and syringe exchange projects that contain prescribed components, and to authorize pharmacists, physicians, and certain persons authorized under those projects to furnish hypodermic needles and syringes without a prescription or permit. This bill would require a participating county or city to assess the project using certain criteria and submit a progress report that takes into consideration data from the assessment.
Status: Referred to Assembly Health Committee for a hearing on April 29.
LLP Position: Support.

AB 1676 (John Dutra, D–Fremont)
Purpose: Existing law permits counties to alert persons about their exposure to HIV when they are reasonably believed to be spouses, sexual partners, or partners of shared needles of individuals who test positive for HIV. Counties must refer exposed persons to appropriate care and follow-up. This bill would, in addition, require counties to provide exposed persons with appropriate counseling.
Status: Referred to Assembly Health Committee for a hearing on May 6. This bill may be changed to a bill about T.B.
LLP Position: Support.

SB 71 (Sheila Kuehl, D–Los Angeles)
Purpose: Among other things, to authorize school districts to provide comprehensive sexual health education, as defined, in kindergarten and grades 1–12, and to require school districts to ensure that all pupils in grades 7–12 receive HIV/AIDS prevention education.
Status: Approved by the Senate Education Committee. Referred to the Senate Appropriations Committee. No hearing date set yet.
LLP Position: Support.

SB 131 (Byron Sher, D–Redwood City)
Purpose: To change the punishments for the first and later charges of possession of a small amount of marijuana.
Status: Approved by the Senate Public Safety Committee and referred to the Senate Appropriations Committee for a hearing on April 28.
LLP Position: Neutral. The bill seems to reduce the number of possession violations which would result in diversion to a drug treatment program.

SB 151 (John Burton, D–San Francisco)
Purpose: To eliminate the extra paperwork required of doctors when prescribing a Schedule II controlled substance (mostly potent pain medications).
Status: Approved by the Senate Health and Human Services Committee and sent to the Senate Public Safety Committee. No hearing date set yet.
LLP Position: Support. The bill should reduce the barriers to providing adequate pain management to patients.

SB 774 (John Vasconcellos, D–San Jose)
Purpose: To authorize a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription under specified conditions, and to authorize a person to possess up to 30 hypodermic needles or syringes if acquired through an authorized source. These things would facilitate authorized clean needle exchange programs around the state.
Status: Referred to the Senate Health and Human Services Committee for a hearing on April 23.
LLP Position: Support.

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LGBTI Issues

AB 17 (Christine Kehoe, D–San Diego)
Purpose: To prohibit a state agency from entering into a contract for the acquisition of goods or services with a vendor or contractor who does not offer benefits to domestic partner employees, as defined, that are equal to benefits offered to employees with spouses, except as otherwise specified.
Status: Approved by the Assembly Judiciary Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 75 (Gloria Negrete McLeod, D–Montclair)
Purpose: To authorize agencies contracting with California's Public Employee Retirement System to provide the survivors of a deceased, retired local safety member an allowance equal to 40 percent of the specified portion of the deceased member's retirement allowance plus 75 percent of the remaining portion of the deceased member's allowance.
Status: Approved by the Assembly Public Employees, Retirement, and Social Security Committee and referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support if domestic partners are added to the list of eligible survivors.

AB 76 (Ellen Corbett, D–San Leandro)
Purpose: To make it unlawful for an employer to fail to take immediate and appropriate corrective action to prevent harassment of an employee by an applicant, or a person providing services or by any person, once the employer knows or should have known of this conduct.
Status: Approved by the Assembly Appropriations Committee and sent to the Assembly floor for a final vote in that house.
LLP Position: Support.

AB 196 (Mark Leno, D–San Francisco)
Purpose: To ban discrimination against transgendered people.

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Legislative Update

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Status: Approved by the Assembly and sent to the Senate. Not assigned to a committee yet.
LLP Position: Support.

AB 205 (Jackie Goldberg, D–Los Angeles)
Purpose: To extend the rights and responsibilities of marriage to registered domestic partners, and to revise the process for registering as domestic partners.
Status: Approved by the Assembly Judiciary Committee and sent to the Assembly Appropriations Committee for a vote on April 30. Probably will be put on the committee's suspense file.
LLP Position: Support.

AB 266 (Gene Mullin, D–San Mateo)
Purpose: To authorize the San Mateo County Board of Supervisors to elect to phase-in domestic partner benefits to the partners of county employees and retirees, through collective bargaining and based on actuarial cost estimates.
Status: Referred to the Assembly Public Employees, Retirement, and Social Security Committee for a vote on May 7.
LLP Position: Support.

AB 458 (Judy Chu, D–Monterey Park)
Purpose: To guarantee the rights of a foster child to have fair and equal access to all services, placement, care, treatment, and benefits, and not to be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, or mental or physical disability. Also to require training for administrators, licensing personnel, licensed foster parents, and relative caretakers to include training about this right.
Status: Approved by the Assembly Human Services Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 1082 (John Laird, D–Santa Cruz)
Purpose: The state government and many local governments are part of the Public Employees Retirement System (PERS). This system allows these governments to offer health benefits to the domestic partners of their employees and retirees if the employees or retirees and their partners meet the state's definition of domestic partnership. Some local governments prior to January 1, 2001, created definitions of domestic partners which differ from the state's definition. AB 1082 would allow these governments to offer health benefits to any persons meeting those local definition of a domestic partner of an employee or retiree of those governments.
Status: Referred to the Assembly Public Employees Retirement and Social Security Committee for a vote on April 23.
LLP Position: Support.

AB 1327 (Mark Wyland, D–Vista)
Purpose: To roll back part of the domestic partner and family benefits of a bill passed last year. That bill, SB 1661, allowed employees to take paid time off through the state's disability insurance program to care for seriously ill family members, including domestic partners. AB 1327 would exempt employers who employ fewer than 50 people within a 75-mile radius of the worksite of the individual requesting leave. Also, to be eligible, an employee must work at least 1,250 hours



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during the 12-month period prior to the period for which the individual is requesting the family temporary disability leave.
Status: Referred to the Assembly Insurance Committee for a hearing on April 30.
LLP Position: Oppose.

AB 1520 (Christine Kehoe, D–San Diego)
Purpose: To create the California Lesbian Gay Bisexual and Transgender Veterans' Memorial Commission and provide for its composition and duties. It would authorize the design, construction, and dedication of a memorial at an unspecified site, and authorize the commission to establish a schedule for its design, construction, and dedication; to solicit designs and devise a process for selection of the final design; and to monitor construction. This bill would require that the funding for the memorial be from private contributions.
Status: Referred to the Assembly Committee on Veterans Affairs. No hearing date set yet.
LLP Position: Support.

SB 85 (Tom Torlakson, D–Walnut Creek)
Purpose: To allow any county to offer the same death benefits, optional retirement allowances, or survivor's allowances to a registered domestic partner of a county employee or retiree that are currently offered to a spouse of a county employee or retiree. However, for the domestic partner to qualify for the benefits, an affidavit of domestic partnership must be on file with the county one year prior to the employee's retirement or death prior to retirement.
Status: Approved by the Senate and sent to the Assembly. Not assigned to a committee yet.
LLP Position: Support.

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People of Color Issues

AB 30 (Keith Richman, R–Granada Hills)
Purpose: To require the state to expand the Healthy Families Program to provide health insurance coverage to employed, childless adults who are uninsured for healthcare coverage and who meet certain household income requirements, subject to approval of a federal waiver and appropriation of state matching funds.
Status: Referred to Assembly Health Committee for a vote on April 29.
LLP Position: Support.

AB 54 (Jenny Oropeza, D–Carson)
Purpose: To require the California Commission on Teacher Credentialing, in consultation with the State Department of Education, to contract with an independent evaluator to conduct a study of the availability and effectiveness of cultural training for public school teachers and administrators. The bill would require the study to focus on 10 culturally diverse schools that reflect the diverse demography and geography of California and would prescribe criteria for selecting those schools.
Status: Approved by the Assembly Education Committee and referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 174 (Thomas Calderon, D–Montebello)
Purpose: To help mitigate the effect of increases in community college fees. Governor Davis has proposed more than doubling the fee per unit of credit for community colleges. This bill states that if community college fees are increased, only the first ten units will be payable at the new rates; any additional credits will be free.
Status: Referred to the Assembly Committee on Higher Education for a hearing on April 22.
LLP Position: Support. People on limited income depend on low-cost community colleges to receive their college education, which increases their chance of getting good-paying jobs.

AB 177 (Jenny Oropeza, D–Carson)
Purpose: To require that voters pamphlets include a statement setting forth various specified rights of voters during an election, including the right to get

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election materials in a language other than English. The secretary of state would be required to print posters in English and Spanish and other languages, setting forth the list of rights, and distribute the posters to county elections officials for display by precinct officials at their polling places.
Status: Referred to the Assembly Elections, Redistricting, and Constitutional Amendments Committee. No hearing date set yet.
LLP Position: Support.

AB 203 (Sally Lieber, D–San Jose)
Purpose: To require the state to conduct an annual study of physician reimbursement rates in medical assistance programs in *the* five states, *other than California, that have the largest number of residents,* and to submit an annual report to the appropriate committees of the Legislature on the study.
Status: Passed by the Assembly Health Committee. Referred to the Assembly Appropriations Committee. Put on the Appropriations Committee's suspense file.
LLP Position: Support. The concept is to see if we should adjust the rates paid to doctors for caring for Medi-Cal patients.

AB 227 (Juan Vargas, D–National City)
Purpose: To prohibit an insurer from using credit ratings, credit reports, credit scoring models, or credit information to underwrite, classify, or rate certain automobile and property insurance policies. The bill would also prohibit an insurer from refusing to issue those policies, and from non-renewing or canceling those policies, based upon credit grounds.
Status: Referred to the Assembly Insurance Committee for a vote on April 30.

Deborah A. Brooks
Certified Public Accountant



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LLP Position: Support.

AB 231 (Darrel Steinberg, D–Sacramento)
Purpose: To help people qualify for the CalWORKs and Food Stamp Programs which serve limited-income people in California. Because their assets are reviewed to see whether they qualify for the programs, this bill states that a car owned by someone should not be considered when determining whether that person has few-enough assets to qualify for the programs. Would also require each county welfare department, to the maximum extent allowable under federal law, to provide transitional food stamp benefits to households terminating their participation in the CalWORKs program for a period of five months. Also would eliminate a fingerprint electronic ID system now used by the food stamp programs. Studies show that this system is ineffective in eliminating duplicate applications.
Status: Approved by the Assembly Human Services Committee. Referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 292 (Leland Yee, D–San Francisco)
Purpose: To provide that a state or local governmental agency, or a public or private agency supported by state funding, shall not use any child, or permit any child to be used, as a translator or interpreter in any matter involving the business or function of that agency except as specified. Also to require each agency that receives state funding to have available for inspection an established procedure for translation services that provide competent translation services.
Status: Approved by the Assembly Business and Professions Committee. Referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 309 (Judy Chu, D–Monterey Park)
Purpose: Existing law requires a person in a trade or business who negotiates contracts primarily in Spanish to deliver a Spanish copy of the contract to the other party prior its execution. Failure to do so can void the contract. This bill extends these provisions to any foreign language. Only becomes operative if SB 146 is

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also passed.
Status: Approved by the Assembly Judiciary Committee and referred to the Assembly Banking and Finance Committee on May 5.
LLP Position: Support.

AB 316 (Simon Salinas, D–Salinas)
Purpose: The delivery of healthcare to agricultural workers in rural areas is often hampered by issues of language and cultural sensitivity. This bill would encourage healthcare delivery systems to use the program known as Promotores de Salud (promoters of health), which provides access and outreach in a manner which is culturally and linguistically accessible to agricultural workers and their families.
Status: Introduced. Not assigned to a committee yet.
LLP Position: Support.

AB 570 (Judy Chu, D–Monterey Park)
Purpose: Existing law requires people engaged in a garment manufacturing business to register with the state labor commissioner and pay a registration fee. Part of the fee goes into a special fund to compensate garment workers who aren't paid their wages, expenses, or benefits by a garment manufacturer, jobber, contractor, or subcontractor. This bill would authorize the state to use *all* the special funds every year to compensate workers who have been harmed.
Status: Referred to the Assembly Labor and Employment Committee for a hearing on April 23.
LLP Position: Support.

AB 801 (Manny Diaz, D–San Jose)
Purpose: To create a voluntary program for physicians. It would develop classes to teach foreign languages to interested physicians, and teach physicians about cultural practices and beliefs that impact healthcare. The bill would reduce the barriers to healthcare faced by many minority Californians.
Status: Approved by the Assembly Business and Professions Committee and referred to the Assembly Health Committee. No hearing date set yet..
LLP Position: Support.

AB 858 (Jackie Goldberg, D–Los Angeles)
Purpose: To generally prohibit public schools from using certain specified terms as a school or athletic team name, mascot, or nickname.
Status: Referred to the Assembly Education Committee for a hearing on April 23.
LLP Position: Support.

AB 1278 (Jerome Horton, D–Inglewood)
Purpose: To require high schools to offer courses of study relating to the economics of higher education and instruction on completing forms relating to student financial aid.
Status: Referred to the Assembly Education Committee for a hearing on April 23.
LLP Position: Support.

AJR 3 (Jerome Horton, D–Inglewood)
Purpose: To urge Congress and the president of the United States to repeal a provision of the 1998 amendments to the federal Higher Education Act of 1965 that denies or delays access to financial aid based upon convictions for drug-related offenses.
Status: Referred to the Assembly Higher Education Committee for a hearing on May 6.
LLP Position: Support.

AJR 4 (Dennis Mountjoy R–Monrovia)
Purpose: The National Slave Memorial Act (HR 196) was introduced in the House of Representatives on January 7, 2003, to authorize the secretary of the interior to establish a memorial to slavery in the District of Columbia. This bill would urge that this bill be passed by Congress and signed by the president.
Status: Failed in the Assembly Judiciary Committee. Granted reconsideration. The author can ask for another vote.
LLP Position: Support.

Continued on page 12

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Legislative Update
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SB 4 (Dennis Hollingsworth, R–Riverside)
Purpose: Commencing with taxable years beginning on or after January 1, 2003, to reduce all marginal tax rates, as provided, and to eliminate the tax on taxable income and the alternative minimum tax for taxable years beginning on or after January 1, 2007.
Status: Referred to Senate Revenue and Tax Committee for a vote on March 26. This is the first hearing held. Testimony was taken and a further hearing will be set.
LLP Position: Oppose. These tax cuts are unreasonable when the state is considering massive cuts to education and health programs.

SB 17 (Martha Escutia, D–Norwalk)
Purpose: To amend the laws relating to property taxes on nonresidential commercial and industrial property to eliminate loopholes that have allowed such properties to evade reassessment upon sale of the property.
Status: Has not yet been assigned to a committee.
LLP Position: Support. This bill would increase tax revenues and reduce the need to cut spending on health and social services programs.

SB 24 (Liz Figueroa, D–Fremont)
Purpose: To require the Child Health and Disability Prevention (CHDP) program to confirm the eligibility of, and issue a Medi-Cal card to, any child under the age of one who appears to be eligible for Medi-Cal. Would also require the state to adopt a process for accelerated enrollment in Medi-Cal for children under 18. This bill would provide another door into Medi-Cal for poor children and eliminate the need for them to go to another office to apply for Medi-Cal.
Status: Approved by the Senate Health and Human Services Committee and referred to the Senate Appropriations Committee for a hearing on April 28.
LLP Position: Support.

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SB 36 (Wes Chesbro, D–Santa Rosa)
Purpose: To provide that federally qualified health center services and rural health clinic services, as defined, are covered benefits under the Medi-Cal program, to be reimbursed to providers on a per-visit basis. The bill would also provide for various requirements pertaining to the reimbursement of these services.
Status: Approved by the Senate and sent to the Assembly. Not assigned to a committee yet.
LLP Position: Support.

SB 43 (Gil Cedillo, D–Los Angeles)
Purpose: To provide an easy way for people to contribute to the Emergency Food Assistance Program Fund by submitting extra money with taxes owed to the state each year. The bill would permit this until January 1, 2009.
Status: Approved by the Senate. Referred to the Assembly. Not referred to a committee yet.
LLP Position: Support.

SB 57 (John Burton, D–San Francisco)
Purpose: To adjust the hourly minimum wage on January 1, 2004, and annually thereafter, to maintain employee purchasing power.
Status: Approved by the Senate Labor and Industrial Relations Committee. Referred to the Senate Appropriations Committee. No hearing date set yet.
LLP Position: Support.

SB 101 (Wes Chesbro, D–Santa Rosa)
Purpose: To require most healthcare service plans and disability insurance policies to provide coverage for the treatment of medically necessary substance-related disorders, excluding caffeine-related disorders, on the same basis as they provide coverage for any other medical condition.
Status: Referred to the Senate Insurance Committee for a vote on April 30. Hearing was cancelled by committee.

SB 142 (Dierdre Alpert, D–San Diego)
Purpose: To require the state to establish a process for county Medi-Cal eligibility staff members to authorize eligibility for children in the Healthy Families Program if the child meets the program's eligibility requirements.

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Currently county Medi-Cal staff are not doing this.
Status: Approved by the Senate Health and Human Services Committee. Referred to the Senate Insurance Committee for a hearing on April 30.
LLP Position: Support. This bill would create an additional gate through which children could be enrolled in the Healthy Families Program.

SB 146 (Martha Escutia, D–Norwalk)
Purpose: To help non-English-speaking people understand business contracts they sign. Current law requires business people who negotiate certain contracts primarily in Spanish to deliver a Spanish translation of the contract to other parties prior to execution of the contract. This bill adds that the Spanish document must include a translation of every term and condition in that contract.
Status: Referred to the Senate Judiciary Committee for a vote on April 29.
LLP Position: Support, but we would like other languages added to the bill.

SB 148 (Tom Torlakson, D–Walnut Creek)
Purpose: To encourage the building of low-cost housing and an end to urban sprawl. Currently some of the property taxes on housing goes to the state and some to the counties. This bill states that if a county uses zoning laws to encourage the building of housing that can be served by existing infrastructure (sewers, electrical systems, and so on), *and* if the county invests in low-cost housing, the county can keep all the property taxes generated by that property.
Status: Introduced. Not referred to a committee yet.
LLP Position: Support.

SB 853 (Martha Escutia, D–Norwalk)
Purpose: To require that healthcare service plans in California offer access to language assistance and culturally competent health care services.
Status: Referred to the Senate Insurance Committee for a hearing on April 30.
LLP Position: Support.

SB 921 (Sheila Kuehl, D–Los Angeles)
Purpose: To provide affordable healthcare for all Californians, by establishing a "single payer" health plan. Moderate premiums would be gathered by the state from employers, employees, and through taxes on certain products and used to pay the fees of various healthcare providers.
Status: Referred to the Senate Insurance Committee for a hearing on April 30.
LLP Position: Support.

SBX1 1 (Charles Poochigian, R–Fresno)
Purpose: To suspend all bills relating to worker's compensation, labor standards, and agricultural labor relations that were approved last year, until the governor issues a proclamation declaring that the California economy has fully recovered from the recession that began in 2000.
Status: Referred to the Senate Labor and Industrial Relations Committee. No hearing date set yet.
LLP Position: Watch with concern. This may invalidate bills of concern to people of color.

SBX1 3 (Martha Escutia, D–Norwalk)
Purpose: To amend the laws relating to property taxes on nonresidential commercial and industrial property to eliminate loopholes that have allowed such properties to evade reassessment upon sale of the property.
Status: Has not yet been assigned to a committee.
LLP Position: Support. This bill would increase tax revenues and reduce the need to cut spending on health and social services programs.

SJR 3 (Richard Alarcon, D–Van Nuys)
Purpose: To urge Congress to increase Temporary Assistance for Needy Families (TANF) block grant funding to certain states, allow states to use TANF funds to provide an additional 24 months of TANF eligibility for families who have used 60 months of TANF eligibility, and consider "stopping the clock" on TANF assistance for recipients who are meeting work participation requirements or live in counties with high unemployment rates.
Status: Approved by the Senate. Referred to the Assembly Human Services Committee. No hearing date set yet.
LLP Position: Support.

Women's Issues

AB 23 (Joe Nation, D–San Rafael)

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Legislative Update

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Purpose: To require healthcare providers to accept and support specified rights of mammography patients, and require patients to accept specified responsibilities.
Status: Referred to the Assembly Health Committee for a hearing on May 6.
LLP Position: Support.

AB 134 (Rebecca Cohn, D–Campbell)
Purpose: In certain circumstances, to increase the penalty for domestic violence if the accused had been convicted previously of domestic violence.
Status: Approved by the Assembly Public Safety Committee. Referred to the Assembly Appropriations Committee and placed on its suspense file.
LLP Position: Support.

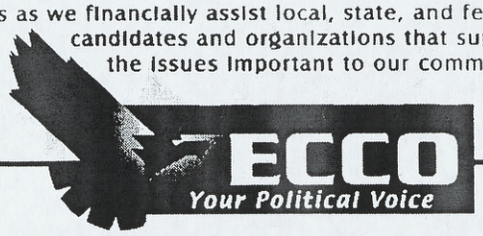
AB 143 (Rebecca Cohn, D–Campbell)
Purpose: To express the intent of the legislature to enact laws to authorize a court to award temporary support to victims of domestic violence prior to requiring that person to file for divorce, legal separation, or nullity of marriage and spousal, child, or family support.
Status: Introduced. Not referred to a committee yet.

ECCO is pleased to support the Lambda Letters Project.

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LLP Position: Support.

AB 145 (Alan Lowenthal, D–Long Beach)
Purpose: To require probation officers to receive initial and refresher training in domestic violence.
Status: Approved by the Assembly Public Safety Committee. Referred to the Assembly Appropriations Committee and placed on its suspense file.
LLP Position: Support.

AB 183 (Joe Nation, D–San Rafael)
Purpose: To include licensed marriage and family therapist and licensed clinical social workers services within the scope of Medi-Cal covered benefits, to the extent that federal matching funds are available for those services.
Status: Approved by the Assembly Committee on Health and referred to the Assembly Appropriations Committee. No hearing date set yet. The earliest hearing date would be April 30.
LLP Position: Support.

AB 184 (Alan Lowenthal, D–Long Beach)
Purpose: To allow the driver's registration public records of the victims of domestic violence and stalking to be kept confidential.
Status: Approved by the Assembly Transportation Committee. Referred to the Assembly Appropriations Committee and placed on its suspense file.
LLP Position: Support.

AB 367 (Paul Koretz, D–West Hollywood)
Purpose: To establish a state program to inform pregnant women, new mothers, and healthcare professionals of certain postpartum mood and anxiety disorders.
Status: Passed by the Assembly Health Committee and referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 383 (Rebecca Cohn, D–Campbell)
Purpose: Existing law states that a person charged with domestic violence must be present for arraignment and sentencing. This bill states that such a person must be present at *any* time during a trial to be sure to hear the terms of any protective order issued by the court.

This would prevent the defendant from later violating a protective order and claiming he or she didn't know the terms of the order.
Status: Passed by the Assembly. Referred to the Senate. Not assigned to a committee yet.
LLP Position: Support.

AB 506 (Bill Maze, R–Visalia)
Purpose: To require the police in sexual assault cases to test the victim's urine to see if the victim had been drugged by the attacker, unless the victim objects to the test.
Status: Approved by the Assembly Public Safety Committee and referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 547 (Carol Liu, D–Pasadena)
Purpose: To require a healthcare service plan and a health insurer to provide coverage for specified tests and procedures relating to the screening and diagnosis of ovarian cancer.
Status: Referred to the Assembly Health Committee. No hearing date set yet.
LLP Position: Support.

AB 814 (Judy Chu, D–Monterey Park)
Purpose: To put into actual law a state supreme court decision which states that a defendant may be found guilty of rape if the victim, having consented to sex, then withdraws that consent during intercourse and communicates that withdrawal, but the rapist doesn't stop.
Status: Referred to the Assembly Public Safety Committee for a vote on April 1. Hearing cancelled at the author's request.
LLP Position: Support.

AB 1201 (Patty Berg, D–Santa Rosa)
Purpose: Medi-Cal pays for the healthcare services needed by many of the poor and disabled. For many of these services payment of the healthcare provider's fees requires prior authorization of the treatment by Medi-Cal. This bill would authorize Medi-Cal to eliminate the requirement for prior authorization for services delivered in a neonatal intensive care setting in an acute care hospital.
Status: Referred to the Assembly Health Committee for a hearing on April 29.
LLP Position: Support.

AB 1269 (Patty Berg, D–Santa Rosa)
Purpose: The state has a program that provides healthcare to poor women with breast and cervical cancer. Current law provides for continuing care, after a diagnosis of breast cancer, of up to 18 months. This bill would extend the allowable period of treatment to 24 months.
Status: Referred to the Assembly Health Committee for a hearing on April 22.
LLP Position: Support.

AB 1488 (Patricia Bates, R–Laguna Niguel)
Purpose: To declare that a hearing for a request for release on bail must be held before a defendant charged with certain crimes is to be released. The charges include that the defendant made threats to kill, engaged in violence against, or visited the residence or workplace of a person protected from the defendant by a restraining order.
Status: Referred to the Assembly Public Safety Committee. No hearing date set yet.
LLP Position: Support.

ACR 6 (Rebecca Cohn, D–Campbell)
Purpose: To proclaim the month of October 2003 as Domestic Violence Awareness Month.
Status: Referred to the Assembly Rules Committee. May not need hearings from policy or appropriations committees.
LLP Position: Support.

ACR 11 (Rebecca Cohn, D–Campbell)
Purpose: To proclaim October 8, 2003, as Health Cares About Domestic Violence Day.
Status: Referred to the Assembly Rules Committee. May not need hearings from policy or appropriations committees.
LLP Position: Support.

AJR 2 (Hannah-Beth Jackson, D–Santa Barbara)
Purpose: To tell Congress and the president of the

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Legislative Update

Continued from page 15

United States to stand firm in their resolve to uphold the intent and substance of the Supreme Court's decision in Roe *v.* Wade relating to reproductive rights, and to encourage all Americans to participate in the national celebration, "Celebrating 30 Years of Roe *v.* Wade," in recognition of that decision's historic importance in promoting women's rights.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Support.

SB 52 (Dennis Hollingsworth, R–Temecula)

Purpose: To appropriate $15 million to county sheriffs for Sexual Assault Felony Enforcement (SAFE) teams, which would concentrate on tracking sexually violent predators and protecting the welfare and safety of Californians.

Status: Referred to the Senate Public Safety Committee for a hearing on April 1. Failed in committee. Reconsideration granted.

LLP Position: Support.

SB 664 (Sheila Kuehl, D–Los Angeles)

Purpose: To require the State Department of Social Services to allocate an unspecified percentage of the marriage promotion moneys in the Temporary Assistance for Needy Families Fund to county welfare agencies for domestic violence services for CalWORKs recipients, as specified. Also to require the department to allocate to the Office of Women's Health in the State Department of Health Services an unspecified percentage of the marriage promotion moneys in the Temporary Assistance for Needy Families Fund to develop and implement a public education campaign that raises awareness about the health consequences of domestic violence.

Status: Approved by the Senate Health and Human Services Committee. Referred to the Senate Appropriations Committee for a vote on April 28.

LLP Position: Support.

###

Victory for Transgendered People

Continued from page 1

total of 56 state and local governments now have such laws. They include 3 states, 8 counties and 45 cities. In California, one county (Santa Cruz) and four cities (Los Angeles, San Francisco, Santa Cruz, and West Hollywood) have approved laws banning discrimination against transgendered people. Sadly, in 1995 the California Supreme Court ruled that state law preempted these local laws. Because state law did not ban discrimination against transgendered people, local ordinances could not do so either.

That court decision is a clear example of why we need the passage of AB 196 this year. We hope that all good people of California will let their legislators know that they should support this important bill.

###

LGBTI Issue

Continued from page 3

marriages. Such benefits include health and death benefits, rights to file legal claims such as victim's compensation, burial rights, and government benefits such as worker's compensation and public assistance. Registered domestic partners can also file joint income tax returns, if they so choose. AB 205 also prohibits marital status discrimination.

AB 205 provides for families by protecting the children. The responsibilities imposed by this bill include issues such as child custody, visitation rights, and financial support if the domestic partnership is terminated. Community property disputes and debt responsibilities are handled in the same manner as divorce cases, in a judicial court.

The California Domestic Partner Rights and Responsibilities Act seeks to ensure stable and caring family relationships by securing a legal framework of benefits and responsibilities afforded to other committed couples. Because AB 205 will soon be coming to a close vote on the California State Assembly floor, Assemblymembers who support it are seeking your assistance. Protect the future of our families. Please use the sample letter with this newsletter to write your Assemblyperson.

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People of Color Issue

Continued from page 3

the minimum wage despite the increase in housing costs throughout the state.

This bill will be important for the economic advancement of communities of color. There are great disparities in poverty level by race. According to the census, of the 4.7 million people living in poverty in California, 62 percent are people of color. This breaks down as follows:

- Hispanic: 43.6%
- African American: 8.6%
- Asian: 8.6%
- American Indian/Alaska Native: 1.2%
- Native Hawaiian/Other Pacific Islander: 0.3%
- White: 37.8%

Thus efforts to adjust the minimum wage automatically will significantly help erase these disparities.

The bill is currently in the Senate Appropriations Committee. Hopefully, however, it will be passed out of Committee and into the full Senate by May.

Sign and send in the letter to your State Senator. Urge him or her to support this important means of advancing the economic well-being of communities of color, and all lower-income individuals and families.

###

Women's Issue

Continued from page 4

DNA match was made through the Department of Justice data bank.

If the law enforcement agency does not perform DNA testing of the rape kit evidence or intends to dispose of the evidence, AB 898 directs the agency to notify the sexual assault survivor.

Rape often leaves survivors with a sense of powerlessness. AB 898 gives the power of information to those injured by this serious crime.

(Thanks to the *Houston Chronicle* and Judy Chu's office for help with this article.)

###

Board of Equalization

Continued from page 1

mestic partners share a home and they own the home as "joint tenants with right of survivorship," and they have held it in that way since they bought their home, they would be treated like married people. There would be no reassessment and no large property tax increase upon the death of one of them.

However, many domestic partners do not own their homes in this way. In some cases only one member of the couple owns the home. Or they may both own it, but *not* as joint tenants with rights of survivorship. In these cases, all or part of the property might be reassessed, and the property taxes could increase dramatically.

If the deceased partner was the sole owner of the home, the assessed value of the whole home would be increased and the surviving partner would pay a large increase in taxes on the whole home. If the partners had equal ownership in the home together, but not as joint tenants, then half of the house would be reassessed. Again, this could result in a major increase in property taxes for the surviving partner.

The Board of Equalization is considering a rule change that would solve this problem. The proposed change is based on an interpretation of AB 2216 which was passed by the California Legislature last year. This law provides that a registered domestic partner inherits in the same manner as a surviving spouse. If the rule change is adopted by the Board of Equalization, surviving registered domestic partners would not face a large increase in property taxes on their homes when their partners die. This would be true regardless of how the title to their home read before the first partner died.

Lambda Letters sent out an e-mail alert asking people to write to the Board of Equalization and urging them to vote for the rule change. The board was due to vote on the rule change on April 23, after the deadline for this newsletter. We will let you know how the vote went in the June issue of the newsletter.

###

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